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07-CV-01118-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARVIN LEE VERMILLION, )  
Petitioner, ) CASE NO. C07-1118-JLR-MJB  
v. )  
KAREN BRUNSON, ) ORDER DISMISSING § 2254 PETITION  
Respondent. )

The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, respondent's motion to dismiss, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Respondent's motion to dismiss (Dkt. No. 12) is GRANTED.
- (3) Petitioner's § 2254 petition (Dkt. No. 7) is DISMISSED with prejudice.
- (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Benton.

DATED this 3rd day of March, 2007.

JAMES L ROBART  
United States District Judge

ORDER DISMISSING § 2254 PETITION